

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

October 10, 2005

TO: Internal File

THRU: Wayne Hedberg, Permit Supervisor
Dana Dean, Team Lead

FROM: Joseph C. Helfrich, Environmental Scientist III, Biology

RE: Midterm Review 2005, Sunnyside Cogeneration Association, Sunnyside Refuse and Slurry, Permit C/007/0035, Task ID #2314

SUMMARY:

The current mining permit C/007/035 for Sunnyside Refuse and Slurry was issued February 4, 2003 and expires February 4, 2008. This memo will include a midterm review of the Biology section of the current permit with the emphasis on the U. S. Fish and Wildlife Windy Gap process.

TECHNICAL MEMO

TECHNICAL ANALYSIS:

OPERATION PLAN

FISH AND WILDLIFE INFORMATION

Regulatory Reference: 30 CFR Sec. 784.21, 817.97; R645-301-322, -301-333, -301-342, -301-358.

Analysis:

Endangered and Threatened Species

Volumes of water consumed in mining processes in excess of 100-acre feet/year require mitigation with the U. S. Fish and Wildlife Service. Water consumption for the cogeneration facility is approximately 34.1-acre feet/year. The water consumption is derived from several sources, fugitive dust control, sediment pond evaporation, and the East slurry cell evaporation. This information can be found in Chapter 7 Section 728.310 pages 700-10 and 700-11 of the MRP. Section 728 is the PHC document for the facility.

Findings:

The information in the MRP is adequate to meet the requirements of this section of the regulations, the Mid-term review and the requirements of the Endangered Species Act.

RECOMMENDATIONS:

The application is recommended for approval.